

1 CLIFFORD E. YIN (State Bar No. 173159)  
ZUZANA S. IKELS (State Bar No. 208671)  
2 COBLENTZ, PATCH, DUFFY & BASS LLP  
One Ferry Building, Suite 200  
3 San Francisco, California 94111-4213  
Telephone: 415.391.4800  
4 Facsimile: 415.989.1663  
Email: ef-cey@cpdb.com,  
5 ef-zsi@cpdb.com

6 Attorneys for SafeDesk Solutions, Inc. and  
Phil Autrey

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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

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11 DATA CAPITAL CORPORATION, a  
California Corporation,

12 Plaintiff,

13 v.

14 SAFEDesk SOLUTIONS, INC., an Oregon  
15 Corporation; PHIL AUTREY, an individual;  
DOES 1 through 25, inclusive,

16 Defendants.  
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Case No. CV-08-00678 JW

**ORDER TO SHOW CAUSE RE:  
SETTLEMENT**

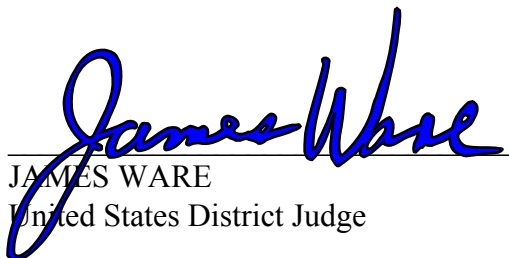
**\*\*\* ORDER \*\*\***

On June 4, 2008, the parties informed the Court that the above-entitled matter has reached a settlement. (See Docket Item No. 20.) In light of the settlement, the Court vacates all trial and pretrial dates. On or before **July 1, 2008**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **July 7, 2008 at 9:00 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before **July 1, 2008**, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: June 9, 2008

  
JAMES WARE  
United States District Judge